

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
FLEMING COMPANIES, INC., <i>et al</i> ,	)	Case No. 03-10945 (MFW)
	)	
Debtors.	)	Jointly Administered
	)	
<hr/>		
DEAN FOODS COMPANY,	)	
	)	
Appellant,	)	Civ. A. No. 05-835 (SLR)
	)	
v.	)	
	)	
POST CONFIRMATION TRUST,	)	
	)	
Appellee.	)	
	)	

**STIPULATION FURTHER EXTENDING BRIEFING SCHEDULE**

WHEREAS, on August 8, 2006, this Court entered an order (the “Scheduling Order”) which set a briefing schedule with respect to the above-captioned appeal; and

WHEREAS, on September 5, 2006, Appellant Dean Foods Company and Appellee Post Confirmation Trust filed a Stipulation Extending Briefing Schedule which extended various deadlines set forth in the Scheduling Order; and

WHEREAS, on October 19, 2006, Appellant Dean Foods Company and Appellee Post Confirmation Trust filed a Stipulation Further Extending Briefing Schedule (the “Extended Briefing Schedule”) which set a deadline of October 27, 2006 for Appellant to file its reply brief; and

WHEREAS, due to scheduling conflicts, the Appellant encountered difficulties in complying with the Extended Briefing Schedule; and

WHEREAS, Appellant Dean Foods Company and Appellee Post Confirmation Trust have agreed to an extension of deadlines set forth in the Extended Scheduling Order,

NOW, THEREFORE, the parties, by and through their respective undersigned counsel, hereby stipulate and agree as follows, subject to and effective upon the entry of an Order approving all of the terms of this Stipulation:

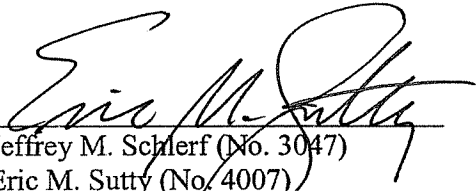
*[Remainder of Page Intentionally Blank]*

1. Appellant's reply brief is due on or before November 1, 2006.

Dated: October 27, 2006

THE BAYARD FIRM

By:

  
Jeffrey M. Schlerf (No. 3047)  
Eric M. Suttty (No. 4007)  
222 Delaware Avenue  
Wilmington, Delaware 19801  
(302) 655-5000

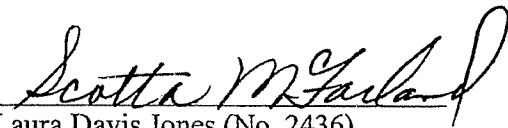
-and-

Mark H. Ralston  
MUNSCH HARDT KOPF & HARR, P.C.  
3800 Lincoln Plaza  
500 N. Akard Street  
Dallas, TX 75201-6659  
(214) 855-7500

*Attorneys for Appellant Dean Foods Company*

PACHULSKI STANG ZIEHL YOUNG  
JONES & WEINTRAUB LLP

By:

  
Laura Davis Jones (No. 2436)  
Scotta E. McFarland (No. 4184)  
919 North Market Street, Suite 1700  
P.O. Box 8705  
Wilmington, Delaware 19899-8705  
(302) 652-4100

-and-

Kathy Patrick  
Jeremy Doyle  
GIBBS & BRUNS, LLP  
1100 Louisiana Street, Suite 5300  
Houston, Texas 77002  
(713) 650-8805

*Attorneys for Appellee Post Confirmation  
Trust*

IT IS SO ORDERED,

This \_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE